

**UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

12-1321

USA v. Juan Garcia-Villa

2-03-cr-00745-001

**O R D E R**

It appearing that the District Court has not issued a certificate of appealability or stated reasons why a certificate of appealability should not issue pursuant to Fed. R. App. P. 22(b) and 28 U.S.C. Section 2253 and that under 3rd Cir. LAR 22.2 the District Court is required to make a determination as to whether a certificate of appealability should issue at the time a final order is issued; it is hereby

ORDERED that the matter is remanded to the District Court for the sole purpose of either issuing a certificate of appealability or stating reasons why a certificate of appealability should not issue.

The appeal is stayed pending determination by the District Court.

For the Court,

*Marcia M. Waldron*

Marcia M. Waldron, Clerk



Dated: February 15, 2012

A True Copy

SLC/cc: Juan Antonio Garcia-Villa

*Marcia M. Waldron*  
Marcia M. Waldron, Clerk

Jeanine Linehan

Bernadette A. McKeon

Manisha M. Sheth

Seth Weber